



PUBLIC NOTICE

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DA 21-1516
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MEDIA BUREAU DISMISSES DEFECTIVE SINGLETON APPLICATIONS SUBMITTED IN THE NOVEMBER 2021, FILING WINDOW FOR NEW NONCOMMERCIAL EDUCATIONAL FM STATIONS

MB Docket No. 20-343

The filing window for applications for new noncommercial educational (NCE) FM new station construction permits closed on Tuesday, November 9, 2021.¹ The Media Bureau (Bureau) received 1,282 applications for new NCE FM stations during the window. The Bureau staff has reviewed the applications to identify (1) singletons, which are applications that are not mutually exclusive (MX) with any other application filed in the window, and can be accepted for filing;² (2) singletons with acceptability defects;³ and (3) mutually exclusive (MX) groups of applications.⁴

To provide staff time to review the applications and identify singletons and MX groups, the Bureau previously announced a temporary freeze on the filing of any amendments to NCE FM new station applications submitted in the November 2021, filing window.⁵ This freeze ended at 6:00 pm EST on Monday, November 29, 2021.⁶ By separate Public Notice released November 29, 2021, the Bureau

¹ See *Media Bureau Announces NCE FM New Station Application Filing Window; Window Open from November 2, 2021, to November 9, 2021*, Public Notice, MB Docket No. 20-343, DA No. 21-463 (April 21, 2021). The window was available for FM reserved band (channels 201-220) proposals. See 47 CFR § 73.501.

² The rule compliant singleton applications have been, or will be, accepted for filing. The acceptance for filing of these singletons starts the 30-day period for filing petitions to deny. See 47 CFR § 73.7004.

³ The Bureau reviews all applications for compliance with the relevant technical and legal rules and dismisses any application that is unacceptable for filing. A dismissed applicant has *one* opportunity to file a minor curative amendment to its application and a petition for reconsideration, requesting reinstatement of the application *nunc pro tunc*. See *Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications*, Public Notice, 56 RR 2d 776 (1984); 47 CFR § 1.106. The amendment and petition for reconsideration must be filed within 30 days of the dismissal of the application. Any such amendment must propose minor changes and comply with all relevant rules.

⁴ Conflicting NCE FM applications, which cannot all be granted consistent with the Commission's technical rules, are considered mutually exclusive. A MX group consists of all applications which are MX to at least one other application in the group.

⁵ See *Media Bureau Announces Close of NCE FM New Station Filing Window and Temporary Filing Freeze on Applications Submitted in the November 2021, Filing Window*, Public Notice, MB Docket No. 20-343, DA 21-1408 (Nov. 10, 2021).

⁶ *Id.*

identified 231 MX groups, comprised of 883 applications, and announced the opportunity to file settlements and/or amendments to allow for the grant of some of these applications.⁷

Dismissed Applications. The Bureau has determined that the 75 applications identified in Attachment A are singletons and have various technical defects. These 75 applications, listed in Attachment A, are HEREBY DISMISSED.⁸ Each applicant has one opportunity to file a minor curative amendment and petition for reconsideration, requesting reinstatement of the application *nunc pro tunc*.⁹ Any amendments and petitions for reconsideration must be filed within 30 days of the dismissals. In order for an application to be reinstated, the amendment must correct all of the application defects, including those not identified in Attachment A, propose only minor changes, comply with all of the Commission's relevant rules, and not create any new application conflicts. Applications that are amended and create any new application conflicts will be dismissed.

Amendments must be filed electronically on Schedule 340 through LMS. Paper filed amendments will not be considered. For assistance logging into LMS or accessing the Schedule 340, please contact the Commission at (877) 480-3201 (Option 2), Monday-Friday, 8:00 am-6:00 pm EST, or submit a request online at <https://fccprod.servicenowservices.com/auls?id=esupport>.

For additional information, please contact Arthur Doak, Arthur.Doak@fcc.gov or Rodolfo Bonacci, Rodolfo.Bonacci@fcc.gov, of the Media Bureau, Audio Division, (202) 418-2700. Direct press inquiries to Janice Wise, Janice.Wise@fcc.gov, (202) 418-8165.

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⁷ See *Media Bureau Identifies Groups of Mutually Exclusive Applications Submitted in the November 2021, Filing Window for New Noncommercial Educational FM Stations*, Public Notice, MB Docket No. 20-343, DA 21-1476 (Nov. 29, 2021).

⁸ The specific application defects are detailed in Attachment A.

⁹ See *supra* note 3.